

Communication

Action type should be misc. letter with response period

Claims 1-9 are objected to under 37 CFR 1.71, as being so incomprehensible as to preclude restriction by the examiner. Claims 1, 2, and 6-9 recite "use of" which are directed to non-statutory inventions under 35 U.S.C. 101. Appropriate correction is required, so that the claims are in compliance with U. S. practice.

For example, the following items are not understood: Claim 9 recites: Use of screening process according to either of Claims 3 and 4, for the characterization, justification and claim of the mechanism of action of substances possessing anti-atherosclerotic properties using the Rev-erb receptors and/or the response elements thereof, as well as their effect on apo C-III. It is unclear as to what process step the claim is directed to.

Applicant is required to submit an amendment which clarifies the disclosure so that the examiner may make a proper comparison of the invention with the prior art.

Applicant should be careful not to introduce any new matter into the disclosure (i.e., matter which is not supported by the disclosure as originally filed).

A shortened statutory period for reply to this action is set to expire ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing date of this letter.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SHULAMITH H. SHAFER whose telephone number is (571)272-3332. The examiner can normally be reached on Monday through Friday, 8 AM to 5 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Manjunath Rao, Ph.D. can be reached on 571-272-0939. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Lorraine Spector/Ph.D.
Primary Examiner, Art Unit 1647

/Shulamith H. Shafer, Ph.D./
Examiner, Art Unit 1647